

Chaitali

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

**INTERIM APPLICATION NO. 1735 OF 2022
IN
SUIT NO. 568 OF 2017**

Noorjahan Kazi & Anr.

...Plaintiffs

Versus

Mohammed Elias Yousef Sait (Seth) & Ors. ...Defendants

Mr. Dharani Jamani i/b Javed Patel for Applicant
Shobhana R. Waghmare for Defendant Nos. 2 and 3.

Parikshit Desai i/b SNG and Partners for Defendant No.6

CORAM : R.I. CHAGLA J

DATE :15TH NOVEMBER, 2022

ORDER :

1. Heard the learned Counsel for the Plaintiff.
2. By this Interim Application, the Applicant is seeking deletion of Plaintiff No.2 from the cause title of the Plaint, as Plaintiff No.1 is the legal heir of Plaintiff No.2 and is already

on record.

3. The Plaintiff No.2 had expired on 8th October, 2021. The order of the Supreme Court in Suo-Motu Writ Petition (C) No. 3 of 2020 has been relied upon which extended the period of limitation. The present Interim Application is within time. Accordingly, the following orders passed:

- i) The Applicant is permitted to delete the name of Plaintiff No.2 from the cause title of the plaint.
- ii) The delay in taking out the Interim Application is condoned.
- iii) Amendment to be carried out within a period of two weeks from the date of this order.
- iv) Interim Application is accordingly disposed of.

[R.I. CHAGLA J.]